

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 888 - HB 1362**

February 9, 2022

**SUMMARY OF BILL AS AMENDED (012389):** Makes various changes to small estates administration. Requires that in order to file an affidavit for a small estate, the decedent must not have left a will. Removes the requirement of listing unpaid debts left by the decedent in the affidavit. Allows for the conversion to full probate estate administration if there is real property involved.

**FISCAL IMPACT OF BILL AS AMENDED:**

**NOT SIGNIFICANT**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 30-4-102(5), in order to qualify for a small estate, the decedent is prohibited from having more than \$50,000 in personal property.
- As this legislation, as amended, authorizes for the conversion to full probate estate administration if there is real property, the Division of TennCare's revenue will not be significantly impacted.
- The proposed legislation concerns wills and trusts occurring between private parties; therefore, any impact to local government is estimated to be not significant.
- The courts will not experience an increase in caseloads; therefore, any impact to the court system is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

Krista Lee Carsner, Executive Director

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